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A Letter from the Executive Director

Barry A. Cassidy, Ph.D., PA-C

Within the last year, the Arizona Medical Board made great strides toward refining licensing and investigative processes. Timeframes for issuing a license and completing an investigation have dropped considerably and new initiatives are forming to further enhance consistency in Board actions. These refinements are due to a number of factors including strong legislative support, forward-thinking Board members and staff, and technological advances that streamline paper-driven processes.

The Board's licensing process gained recognition recently for its revised processes. Recent changes in the licensing system drove timeframes for processing a license down to just 30 days. As outlined in "Licensing Department Chases Excellence", innovative and practical measures led to a remarkable transformation.

Additionally, as part of its revised adjudication process, the Board will be adopting a set of

Disciplinary Rules this summer. These rules, intended to form greater consistency in Board actions, will be open to public comment as part of the rule-making process. Physicians are encouraged to take part in the rule making and make their comments known.

This year, the Board will also be adding clarity to some of its policies, rules and statutes as it researches and brings forward new regulations in office-based surgery, prescribing of controlled substances, and physician obligations when closing a practice. With these regulations in place, ambiguity in current law will be clarified and physicians will be provided set standards for good medical practice.

Finally, the Board is using current technology to make services increasingly available to both consumers and physicians. Within the next few months, the Board will launch its new website. This site will contain specific information of interest to physicians as well as public and community

pages highlighting the plethora of physician information available to consumers. In the near future, physicians will also be able to apply for and renew licenses on-line.



As the Board forges ahead in the regulatory arena, it continually strikes a balance between public protection and physician rights to practice medicine without over-regulation. The Board and staff are responsive to your needs. E-mail your comments and concerns to questions@azmdboard.org.

Licensing Department Chases Excellence

In a time of budget cuts and rising deficits, the Arizona Medical Board is doing the unexpected – it's adding services to new licensees at no extra cost. Best of all, physicians applying for a license to practice medicine in Arizona are getting their money's worth.

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BOARD MEETING DATES

June 11-12, 2003

August 13-14, 2003

October 8-9, 2003

December 10-11, 2003

INVESTIGATIONAL INTERVIEWS – What to expect?

The Arizona Medical Board notified you that a complaint was filed against you. Dutifully, you responded to the allegations to the best of your knowledge. You thought your part was over, but unfortunately, the Board wants more. You are asked to come for an investigational interview. What now?

The purpose of an investigational interview is for Board staff to gain a better understanding of a physician's thought process for a particular procedure. It is also a process for seeking and obtaining information from physicians and gaining an understanding of the surrounding events and circumstances. For instance, if a physician chose to perform one surgical procedure over another, more commonly performed procedure, the physician could explain the reasoning behind his actions during the investigational interview.

The following questions and answers are designed to lead a physician through the investigational interview process:

Q: If I am subpoenaed to appear for an investigational interview, do I need to go?

A: Yes. Physicians are required by law (A.R.S. §32-1451(C)) to appear for an investigational interview. Failure to appear is considered to be unprofessional conduct.

Q: Can I bring an attorney with me?

A: Yes. In fact, physicians are encouraged to obtain legal counsel early in the investigative process. However, like a formal deposition, attorney participation in the investigational interview is

limited to consultations with you. You must answer the questions presented, not your attorney.

Q: Can I bring supporting documentation with me explaining my actions?

A: Yes. Evidence-based medicine is important to the Board. If you have literature explaining the benefits of certain procedures, bring it with you. Gathering all evidence early in the investigation is important. If you wait until the Board meeting to provide this literature, the Board has limited time to review it.

Q: What if I remember something later that I forgot to state during the investigational interview?

A: Please call or write the investigator assigned to your case. The information you provide will be considered.

Q: Who else will be present for the investigational interview?

A: The staff investigator and medical consultant assigned to your case will be present and will conduct the interview.

Q: How long will the investigational interview take?

A: That depends. Most investigational interviews last between 15 minutes and 2 hours. The duration of your interview depends on how complicated the case is and how much information is needed.

Q: Will the interview be taped?

A: Yes. Staff has the ability to both audiotape and videotape the investigational interview.

Q: Can I receive a transcript of the interview?

A: Yes. If your case is brought for a formal interview before the Board or if an advisory letter is recommended, you have the ability to request pertinent investigational materials the Board receives, including the transcript from your investigational interview. A form giving you the option to request these materials is included in your notice letter.

The most important thing to remember is that an investigational interview is not to be feared. It's your chance to explain details of a case that might never come out in a standard written response. It is also your chance to fully understand the allegations against you and to hear the Board's evidence supporting its recommendations. Answer questions honestly and to the best of your ability. Your cooperation with the investigation is appreciated.

Arizona State Board of Nursing Implemented On-Line Verification

Please visit www.nursing.state.az.us to learn more about the Arizona Nursing Board and to verify licenses on-line. You may contact the Arizona Nursing Board at 602-331-8111 or Email: arizona@azbn.org

PENDING CASE INFORMATION? KEEP IT CONFIDENTIAL

During the course of a Board investigation, medical records are subpoenaed, witnesses are interviewed, and both the physician and the complainant are asked to provide as many details regarding the care provided as possible. Information is shared between the Board staff and the physician to give the physician opportunity to respond to the allegations. While this information is shared freely during the investigation, Board members, staff and physicians are bound by law to keep any details of the investigation confidential. A.R.S. §32-1451.01(C).

What does this mean to a physician? Physicians who are asked to provide details of an open Board investigation to credentialing organizations, hospitals, other accrediting agencies, or the media must decline to discuss the investigation or provide any information.

If it's information regarding a pending investigation, keep it confidential. Please contact your own legal counsel if you need further advice regarding this issue.

License Renewal Fee Increasing

In late 2001, the Arizona Medical Board reviewed a proposal to raise several fees administered by the Board. One fee recommendation was to increase the Licensing Renewal Fee from \$450 to \$500.

At its October 2001 meeting, the Arizona Medical Board approved the recommendation for the fee increase, with one exception. The Board voted to delay implementation of the Licensing Renewal Fee increase until July 1, 2003.

As such, please note that on July 1, 2003 your bi-annual renewal fee will increase to \$500. The License Renewal Form you receive will reflect this change.

Questions? Please email renewals@azmdboard.org or call the Renewals Department at 480-551-2700

Question of the Month

Q: As a licensed Arizona physician, am I allowed to prescribe via the Internet?

A: A.R.S. § 32-1401 (24)(ss) states that it is an act of unprofessional conduct for an Arizona physician to engage in:

Prescribing, dispensing or furnishing a prescription medication or a prescription-only device as defined in section A.R.S. § 32-1901 to a person unless the licensee first conducts a physical examination of that person or has previously established a doctor-patient relationship. This subdivision does not apply to:

(i) A physician who provides temporary patient supervision on behalf of the patient's regular treating licensed healthcare professional.

(ii) Emergency medical situations as defined in section A.R.S. § 41-1831.

(iii) Prescriptions written to prepare a patient for a medical examination.

Questions, Comments, Concerns???

You may contact the Arizona Medical Board at (480) 551-2700 or by email at questions@azmdboard.org

Licensing Department Makes Great Strides

The Arizona Medical Board issues thousands of physician and physician assistant licenses and permits each year. What few know is that there are just a handful of people committed to processing licensing applications to such degree of detail and accuracy. They are confident the Arizona Medical Board only licenses those physicians and physician assistants who are competent and safe to practice medicine. A breakdown of the licenses issued in fiscal year 2002 by 7 licensing technicians and one administrator is as follows:

- M.D. Licenses Issued: 1,018
- P.A. Active Licenses Issued: 182
- P.A. Temporary Licenses Issued: 45
- Resident Permits Issued: 980
- Miscellaneous Licenses Issued: 76
- Dispensing Certificates Issued: 508

What makes this information special is not the number of licenses that are issued each year, but the remarkable timeframes in which the licenses are processed and given to physicians and physician assistants. In past years, the average timeframe to issue a license was 120 days. Now, due to process reorganization and proactive measures, the timeframe has been reduced to an average of 60 days. Additionally, the Board set a new record this year by processing and issuing a license in just three days and has the capability of continuing this remarkable transformation.

The licensing transformation was relatively simple and added no extra licensing fees. The Board's licensing staff now processes on-line verifications for documents physicians and physician assistants often have difficulty obtaining. These verifications include: the American Board of Medical Specialties (ABMS), American Medical Association (AMA) physician profiles, and Federation of State Medical Board (FSMB) disciplinary searches. Additionally, the licensing staff can verify other state licenses on-line, as well as National Practitioner Data Bank and Healthcare Integrity and Protection Databank searches, which held up the licensing process in the past.

The Licensing staff also goes the extra mile to ensure rapid licensing, support the licensing needs of rural areas and to provide excellent customer satisfaction. Some of the proactive measures the Board took to meet these goals are as follows:

- Deficiency letters are sent to physicians and physician assistants who have not provided all required documents with the licensing applications. Over the last three years, the Board has sent these letters

within 30 days, 100% of the time.

- Realizing the need for healthcare providers in rural areas, the Board will expedite licensing applications when requested.
- With each license issued, the Board sends the licensee a customer satisfaction survey card. On average, the licensing staff obtains a 92% customer satisfaction rating for their excellent work. Some of the comments received on the surveys include:

"The application is simple and quick. When I have to call your office, the staff is always helpful."

"I am stationed overseas the staff bent over backwards to ensure a timely renewal."

"I was impressed by the fast response."

"I am licensed in AL & TX but this was by far the smoothest. Thank you so much."

Finally, staff added a separate component to the licensing process that improves public access to licensing documents. Over the last two years, the Board scanned over 15,000 physician and over 900 physician assistant licensing files. These scanned documents make record retrieval a simple and fast process that can be performed by any member of the Board's staff. Additionally, these electronic files are easily and automatically archived according to the State's record retention policy.

In summary, with the implementation of a few proactive and forward-thinking actions, the Arizona Medical Board was able to cut its licensing timeframes in half. It is a system that can be easily adopted by other state medical boards and it does not require any significant legislative or computer programming changes. It is a system that proves big results can be achieved with few resources.